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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:11-CR-249-KJD (CWH)
)	
ERIC EVERETT MILLS,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 31, 2012, defendant ERIC EVERETT MILLS pled guilty to Counts One and Two of a Two-Count Criminal Indictment charging him in Count One with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2) and in Count Two with Possession of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Docket #1, #33.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offenses to which defendant ERIC EVERETT MILLS pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- a) all visual depictions described in Title 18, United States Code, Sections 2251, 2251A, 2252, and 2252A;

b) all items containing such visual depictions, which were transported, shipped and received in violation of Title 18, United States Code, Section 2252A;

c) all property, real or personal, used or intended to be used to commit or to promote the commission of these offenses or any property traceable to such property, including but not limited to computer images, including movie files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained;

d) a Compaq Presario Desktop, serial number CNH7410XWP;

e) a 300GB Sata hard drive, serial number 5QF64X86; and

f) ten CD or DVD discs containing child pornography ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of ERIC EVERETT MILLS in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 MICHAEL A. HUMPHREYS
Assistant United States Attorney
5 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
6 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
7 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 16 day of February, 2012.

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15 _____
16 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the following individuals were served with a copy of the foregoing (proposed) Preliminary Order of Forfeiture on February 15, 2012, by the below identified method of service:

CM/ECF:

Rebecca A Rosenstein
Federal Public Defender
411 E. Bonneville Avenue
Las Vegas, NV 89101
Email: Rebecca_Rosenstein@fd.org
Counsel for Defendant Eric Mills

Jason F. Carr
Federal Public Defender
411 E Bonneville Suite 250
Las Vegas, NV 89101
Email: ECF_Vegas@FD.ORG
Counsel for Defendant Eric Mills

/s/ Elizabeth Baechler-Warren
Elizabeth Baechler-Warren
Forfeiture Support Associate Paralegal